

REMARKS

Claims 11, 16, 17, 19, 22, and 25 are amended above. Claims 26 to 29 have been added as new claims. No new matter has been added.

Claims 11 and 13 to 29 are pending. Applicants respectfully request reconsideration of the present application in view of this Response.

35 U.S.C. §102(e)

Claims 22 to 24 were rejected under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 6,909,705 to Lee et al. (“Lee reference”). The Lee reference appears to concern integrating a Bluetooth network with a cellular networks, so that the Bluetooth network can be utilized more. Amended claim 22 is directed to an administrator, and requires that “the router module determines a type of data waiting for transmission and establishes a connection corresponding to the type of data to the terminal, the connection established being optimized in view of at least one of the terminal, costs, and transmission speed” and “the type of the at least one portable terminal and the type of data to be transmitted is provided to the administrator via at least one of a predefined user profile and a message transmitted to the administrator from the at least one portable terminal.” The Lee reference does not identically recite these features of now amended claim 22. The Lee reference refers to cost issues, however, does not go so far as to say to optimize the use of connections in view of such. Further, the Lee reference does not provide for an administrator as contemplated by the present invention. While the Lee reference may employ a device from the system which switches the user between two networks, the device does not provide for such an optimization effort nor does the device effect a predefined user profile or a transmitted message as required by claim 22. Claim 22 is believed allowable, along with its dependent claims 23 and 24. Withdrawal of the rejection under 35 U.S.C. §102(e) of claims 22 to 24 is respectfully requested.

35 U.S.C. §103(a)

Claims 11, 13 to 21, and 25, were rejected under 35 U.S.C. §103(a) as unpatentable over the Lee reference in view of U.S. Patent Publication No. 2002/0054578 A1 to Zhang et al. (“Zhang reference”).

The Lee reference appears to concern integrating a Bluetooth network, i.e., a wireless local loop network, with a cellular network, as discussed briefly above.

The Zhang reference appears to concern a cross-layer architecture for “delivering multiple media streams over 3G W-CDMA channels in adaptive multimedia wireless networks.” The Zhang reference refers to a resource management mechanism allocating resources among different media streams, and such allocation is performed based on a minimum-distortion or minimum power criterion.

In contrast, claim 11 is directed to a method for exchanging data using a wireless connection, and requires providing a user with at least one portable terminal located in a transmission and reception range of at least one network; logging on automatically to establish a connection to the at least one network by the at least one portable terminal; and *monitoring* a movement of the at least one portable terminal across a boundary of the at least one network, wherein if the movement is to another network, another connection is established to the another network, and wherein for the data exchange, *the transmission channel is adapted automatically to a type of the at least one portable terminal and a type of data to be transmitted*, by an administrator to be assigned to the network, and *the type of the at least one portable terminal and the type of data to be transmitted is provided to the administrator via at least one of a predefined user profile and a message transmitted to the administrator from the at least one portable terminal*.

Neither of the references, alone or in combination, appear to teach or describe providing a transmission channel available for the exchanging *data* within a framework of the connection established; and monitoring a movement of the at least one portable terminal across a boundary of the at least one network by an administrator – not just the BTS or BT Hub which contains the routing tables for the nodes of the Bluetooth network. Likewise, the RLC referred to by the Zhang reference, for example, cannot be viewed as the administrator as required by the claims because the RLC is specific to one logical channel layer – and does not assist a user across and between different networks and possible multiple data channels. Further, neither of the references teach or describe the type of the at least one portable terminal and the type of data to be transmitted is provided to the administrator via at least one of a predefined user profile and a message transmitted to the administrator from the at least one portable terminal as required in amended claim 11. The references do not discuss utilizing a predefined user profile or use of a transmitted message, e.g., a message header of an email, which indicates to the administrator what is in line for transmission, and what has priority, if any, for sending.

Further, Applicants respectfully submit that the references are not combinable as one reference concerns itself with essentially providing more Bluetooth device connectivity opportunities and the other reference concerns itself with multiple media streams over 3G. While one strives for potential cost savings for transmission of voice *and* data, the other is appears to focus on handoffs between networks such that a quality of service is maintained and guaranteed.

Accordingly, Applicants respectfully submit that the Lee and Zhang references in combination or alone do not teach or describe all of the features of claim 11. Amended claim 11 is believed allowable. Further, the since the remaining rejected claims either depend from or recite features (e.g., amended claim 25) analogous to those of amended claim 11, those claims are believed allowable for at least the same reasons as amended claim 11.

Accordingly, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103(a) of claims 11 and 13 to 25.

New claims 26 to 29 depend ultimately from amended claim 11, and are believed allowable for at least the same reasons. No new matter has been added to those claims, and support for those claims can be found in the Specification of record.

CONCLUSION

For at least the foregoing reasons, Applicants respectfully submit that any outstanding rejections under 35 U.S.C. §§ 102(e), 103(a), of claims 11 and 13 to 25 have been overcome, and that all claims 11 and 13 to 29 are allowable. It is therefore respectfully requested that the rejections be reconsidered and withdrawn, and that the present application issue as early as possible.

Respectfully submitted,

Dated: November 27, 2009

By: /Linda Lecomte/
Linda Shudy Lecomte (Reg. No. 47,084)

CUSTOMER NO. 26646

KENYON & KENYON LLP
One Broadway
New York, New York 10004
(212) 425-7200